

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:

James Albert, Chair
John Walsh, Vice Chair
Saima Zafar
Carole Tillotson
Jonathan Roos
Mary Rueter

MINUTES

OPEN SESSION

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

November 29, 2011

4:30 p.m. **TELEPHONIC**

JESSIE PARKER BUILDING

510 E. 12TH STREET

DES MOINES, IA

I. CALL TO ORDER

Pursuant to 21.8 of the Code of Iowa, the meeting will be held telephonically because of the impossibility and impracticability of convening an in-person meeting in Des Moines to discuss two agenda items as well as the necessity to meet in advance of the next in-person meeting.

Meeting is called to order at 4:35 pm

Members present: Saima Zafar, Mary Rueter, Carole Tillotson, Jonathan Roos, John Walsh, James Albert.

Quorum: yes?

Staff present: Megan Tooker, Sharon Wright

Others present: Michael O'Meara and Jason Pulliam

APPROVAL OF MINUTES – Approval of November 10, 2011 meeting minutes is deferred to next in-person Board meeting.

II. SETTLEMENT PROPOSAL –AMES CHAMBER OF COMMERCE

- Prohibited Corporate contribution

Tooker states that Ames Chamber of Commerce allows members to include inserts for a fee in newsletters. The policy is not to allow political material, however they mistakenly included a political ad recently. The Chamber President tried to correct that error by allowing other candidates to insert their ads at no cost and one candidate accepted the offer. The Chamber is incorporated so allowing an insert at no charge would be a prohibited in-kind contribution. Brian, the local auditor, suggests this remedial action: the Candidate who accepted the free ad is willing to pay \$75 to the Chamber for her ad, the amount the

original candidate paid for the ad, and the Chamber of Commerce is willing to pay a \$75 penalty to the Board so it doesn't receive any benefit for offering to run free ads. The Chamber is also willing to accept an admonishment. Tooker asks for approval of the proposed settlement. Walsh makes a motion to accept settlement and Zafar seconds. Albert asks if anyone thinks it should be a reprimand rather than an admonishment. Walsh states he feels the Chamber is sincere and it was a mistake that an admonishment is acceptable. Roos agrees. Motion carries.

III. ADJOURNMENT TO CLOSED SESSION –

Zafar moves the Board go into closed session in accordance with the provisions of Iowa Code section 21.5(1) "c" & "g" to discuss the November 8th complaint by Matt Whitaker regarding Polk County's October 25, 2011 redistricting map. Rueter seconds. Motion passed unanimously in roll call vote.

Adjourn to closed session at 4:41pm.

IV. RETURN TO OPEN SESSION – 516 pm

Walsh moves the Board to direct an investigation into latest complaint. Carole seconds. The complaint is legally sufficient and meets statutory requirement for investigation. Albert asks if the Board wants to give a time frame of 2 weeks Tooker to report back. Walsh amends motion to include a two week time period. Tooker says she will try to setup another Board meeting the week of December 12th to review of the matter. Motion carries unanimously in roll call vote.

V. ADJOURN

Motion by Zafar to adjourn. Second by Roos. Motion carries.

The meeting adjourns at 5:21 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "S. Wright".

Sharon Wright, Board Secretary